

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

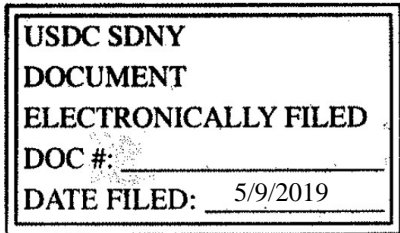
MARSH & MCLENNAN AGENCY LLC,

Plaintiff,

-against-

ELMER “RICK” FERGUSON,

Defendant.



19-cv-03837-VSB

**ORDER**

On April 30, 2019, Plaintiff submitted a proposed order to show cause for a temporary restraining order and a preliminary injunction, along with a memorandum of law and papers in support. On May 2, 2019, I held a conference with regard to Plaintiff’s request for a temporary restraining order, at which counsel for both Plaintiff and Defendant appeared. Accordingly, and for the reasons stated on the record at the May 2 Conference, it is hereby:

ORDERED that, sufficient reason having been shown, pending a hearing on Plaintiff’s application for a preliminary injunction or further Order from this Court, pursuant to Rule 65 of the Federal Rules of Civil Procedure, Defendant, along with any person or entity acting in concert with him or under his supervision, is temporarily restrained and enjoined from:

- i. using Confidential Information and Trade Secrets or related information regarding Marsh & McLennan Agency LLC (“MMA”), MMA’s clients, and its prospective clients, to solicit clients of MMA with whom Defendant had contact in the last two years of his employment, for the purpose of selling or providing products or services of the type sold or provided by Ferguson while employed by MMA;
- ii. using Confidential Information and Trade Secrets or related information regarding MMA, MMA’s clients, and its prospective clients, to solicit prospective clients of

MMA with whom Defendant had contact in the last two years of his employment, for the purpose of selling or providing products or services of the type sold or provided by Ferguson while employed by MMA;


- iii. possessing, using, disclosing or disseminating MMA's Confidential Information and Trade Secrets;
- iv. any other actions in violation of his contractual obligations or duty of loyalty or duty of confidentiality to MMA.

IT IS FURTHER ORDERED that, as discussed on the record at the May 2 conference, the parties shall meet and confer and, on or before May 7, 2019 at 5:30 p.m., provide the Court with proposed language to be used in an order governing the respective parties' conduct during the pendency of this action.

IT IS FUTHER ORDERED that, on or before May 7, 2019, the parties shall submit a proposed briefing schedule with regard to Plaintiff's motion for a preliminary injunction and/or any other contemplated motions.

SO ORDERED

Dated: May 9, 2019  
New York, New York

  
Vernon S. Broderick  
United States District Judge